

REMARKS

Claims 1, 2, 4, 7-21, 23-41, and 44-55 are pending in the application. These same claims also remain rejected. Claims 1, 19, 35 and 40 are the independent claims. The outstanding claims are all variously rejected under 35 U.S.C § 102(e) with reference to U.S. Patent No. 6,401,084 (Ortega et al.) and under 35 U.S.C § 103(a) over root reference Ortega et al., in various combination with U.S. Publication No. 2003/0037077 (Brill et al.), U.S. Publication No. 2002/0059204 (Harris) and U.S. Publication No. 2001/0032204 (Hoashi et al.).

Rejection of Claims Under § 103(a)

Claims 1, 19, and 40 are the independent claims. For example, claim 1 recites:

In a computing system, a method for providing runtime automatic spelling analysis and correction in connection with a service utilizing a query input mechanism, comprising:

receiving from a client computing device original query entry data comprising at least one word;

analyzing the spelling of the at least one word and determining, *for each word*, whether the at least one word has a mistake; and

forming auto-corrected query entry data wherein said forming includes, for each word having a mistake, replacing the word having the mistake with an alternative word, if the alternative word satisfies at least one threshold confidence calculation.

(emphasis added). In the last response, Applicants have indicated that “analyzing the spelling of the at least one word and determining, *for each word*, whether the at least one word has a mistake” (emphasis added) could not be found in Ortega et al. In the present Office Action, the Examiner (correctly) agrees: “Note Ortega does not specifically teach the above analyzing and determining for each word” (Office Action, p. 5).

The reason why Ortega et al. cannot teach this limitation was also explained in the previous response, namely, because “[w]hat Ortega et al. actually does is leverage an *already* correct spelling of one term (the matching term ...) to get at the correct spelling of second term (the non-matching term).” (Response to non-final Office Action, p. 11, dated May 24, 2005).

The leveraging in Ortega et al. already teaches away from checking each word since the whole point of leveraging is *not* to check each word. If one reference specifically

requires that at least one word *not* be checked, combining this reference with any other reference, such as Bowman et al., will not result in the claimed subject matter. There is simply no reference that is combinable with Ortega et al. to yield the claimed subject matter. ‘*Not checking at least one word*’ (Ortega et al.) is completely different from “analyzing ... and determining, *for each word*...” (claim 1).

Put differently, if a reference were to be combined with Ortega et al. in such a way as to yield *all* the claimed limitations in claim 1, the combination would then destroy the intended function of Ortega et al. *See* MPEP § 2143.01. If Ortega et al. could be combined with some reference (Bowman et al. falls short in this case) to yield “analyzing the spelling of the at least one word and determining, for each word, whether the at least one word has a mistake” (claim 1), then Ortega et al.’s intended function or purpose of *not* analyzing and determining *for each word* a mistake would be destroyed. Either way, whether Ortega et al. teaches away from the combination or whether the combination would destroy the intended function of Ortega et al., Ortega et al. and Bowman et al. are simply not combinable to teach the limitations of claim 1.

Claims 19 and 40 recite similar limitation to that of claim 1: “analyzing the spelling of the at least one word of the original query entry data and determining, for each word, whether at least one word has a mistake” (claim 19); and “means for analyzing the spelling of the at least one word and means for determining, for each word, whether at least one word has a mistake” (claim 40).

Rejection of Claims Under § 102(e)

The remaining independent claim, claim 35, recites the following:

In a computing system, a method for displaying results of a runtime service based upon an auto-corrected query data set, wherein the auto-corrected query data is different than an entered query data set input to a query input mechanism, comprising:

- first displaying the auto-corrected query data set in the query input mechanism;
- second displaying the search results based upon the auto-corrected query data set; and
- near the query input mechanism, third displaying a link which enables the re-performance of the service, *wherein the link at least in part comprises of the entered query data set.*

(emphasis added). The Applicants maintain that this last element cannot be found in Ortega et al. Applicants have amended this claim to clarify the intended claimed subject matter. Applicants point the Examiner to Fig. 5A, where the term “toothpaste” 510A is the auto-corrected term, and the entered term “toothpaste” 520A is a link. In other words, per Fig. 5A, “the link at least in part comprises of the entered query data set” (i.e. “toothpaste”). With this clarification, Applicants submit that claim 35 patentably defines over Ortega et al.

Specifically, Figure 2 of Ortega et al. illustrates a book search page of a web site (col. 3, l. 22). Ostensibly, the underlined words are hyperlinks, and five such links appear: “Author Search Tips”, “Title Search Tips”, “Subject Search Tips”, “ISBN”, “Publisher/Date”, and “Quick Search”. However, these preset hyperlinks are *not* the type of links claimed above: “the link at least in part comprises of the entered query data set” (claim 1). Moreover, the passage cited by the examiner, namely, col. 10, ll. 33-41, is limited in the same way that Fig. 2 is limited: merely allowing modification of searches, but not via “link[s] [that] ... comprise[] ... entered query data set[s]” (claim 1).

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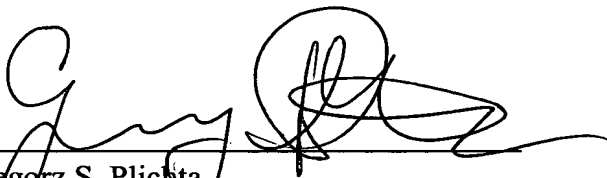
**PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116**

Conclusion

As mentioned above, independent claims 1, 19, 35, and 40 recite limitations which cannot be found in the cited references, either alone or in combination. Claims 2, 4, 7-18, 20-21, 23-34, 36-39, 41 and 44-55 depend from claims 1, 19, 35 or 40 and are believed to be allowable for the same reasons. Applicants thus submit that claims 1-2, 4, 7-21, 23-41 and 44-55 patentably define over Ortega et al., taken alone or in combination with any other art of record. Withdrawal of the rejections to claims 1-2, 4, 7-21, 23-41 and 44-55 under 35 U.S.C. §§ 102(e) and 103(a) is thus earnestly requested.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Office Action, and submit that claims 1-2, 4, 7-21, 23-41 and 44-55 of the application are in condition for allowance. Favorable consideration and passage to issue of the application at the Examiner's earliest convenience is earnestly solicited.

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Grzegorz S. Plichta
Registration No. 55,541

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439